



**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
CONSTRUCTION CODES COORDINATING BOARD**

**MINUTES OF OCTOBER 21, 2009 MEETING  
941 North Capitol Street, NE  
9<sup>th</sup> Floor Conference Room  
Washington, DC 20002**

**Members Present**

Mr. Alex Berley, Vice Chair  
Mr. David Hollinger  
Mr. Marc Fetterman  
Mr. Gerald Keys  
Mr. Ethan Landis  
Mr. Robert Hershey  
Mr. Herbert Taylor  
Mr. Robbie Sabbakhan  
Mr. Don Masoero  
Ms. Jill Stern

**Members Absent**

Mr. Greg Colevas

**Public Guests**

Shaun Pharr  
Nicola Whiteman  
Eric Mayl

Heather Vargas, DCRA Administrative Support

<b>Call to Order</b>	Mr. Berley, Vice Chair, presided over the meeting and called the meeting to order at 10:12 am.
<b>Roll Call</b>	Roll call determined that Board has a quorum to proceed.
<b>Approval of Agenda</b>	Motion: To approve agenda. Agenda is approved.
<b>Approval of October 9, 2009 Minutes</b>	MOTION: To approve minutes from October 9, 2009. (Masoero, Hollinger) Motion passes.
<b>Public Comments</b>	None.
<b>Report from Document Committee</b>	Mr. Hersey provided a brief summary of the work of the Document Review Committee: Document #1 Edits were made by the committee Document #2 Edits were made by the committee Document #3 Eliminated Document #4 On Hold Document #5 Eliminated Document #6 Minor edits were made

Document #7 On Hold

Document #8 Original document was eliminated and replaced by a new 1-page petition

The edits to documents #1, #2 and #8 were passed out to the Board and the members of the public.

**Document #1**

Motion: To Adopt Document #1 as final (Hershey) Motion did not get a second.

Discussion: Regarding the TAG role and the process. (Stern)

Motion: To amend Document #1 by removing “Proposals are received, by invitation of the CCCB, from public or private entities or from...” from paragraph #3 of document #1. (Stern, Masoero)  
Motion passes.

Motion: To make changes to Document #1, paragraph 3 to remove the first part of the second sentence; paragraph 4 to add after August 2009 “,as may subsequently be amended.” and last paragraph to strike “2009” from both places. (Stern, Hershey)

Motion: To approve to allow 5 minutes for comments by members of the public at the end of the document discussion. (Keys, Taylor)

Discussion: The chair can always limit or allow more time.

Motion passes. (Abstention: Fetterman, Hollinger)

Motion: To specify that public comment occurs for 5 minutes after Board discussion of the 8 documents reviewed by the committee. (Keys, Masoero) Motion passes.

There is no further discussion on Document #1. (see attached for edits made to document)

**Document #2**

**Section 2.** Should read ...”CCCB Chairperson.”

Under this section, the first criteria “to address a critical life/safety need” was discussed. Any change will broaden the scope rather than limit the scope. Chapter 1 has standard language that can be used, to read “...health, fire/life safety and general welfare.” (Masoero)

Second criteria would encompass focus of ‘green amendments.’ (Hershey)

Hershey suggests the Chair poll the members regarding any change to criteria #1.

Option 1: Leave the language in criteria #1. 3 votes (Hershey, Stern, Berley)

Option 2: Change the language in criteria #1. 6 votes (Masoero, Keys, Hollinger, Taylor, Sabbakhan, Fetterman)

Criteria #1 language to be amended to read: “The proposed amendment is needed to “safeguard the public health, life safety and general welfare of the District of Columbia.”

Section 3. Recommendation to take out the dates and revise the language to read

**“Propose Code Changes**

The TAG may submit petitions to amend the construction code pursuant to 2. above.”

Section 4. Take out the word “approved” in the second paragraph and change “chair” to “chairperson” to be consistent with other language.

Before the end of the meeting, the Board (Fetterman) inquired about whether the chair could address the schedule and deadlines for the board and the proposed code revisions.

Motion: To extend the meeting by one half hour today to allow for completion of additional agenda items. (Hollinger, Masoero) Motion Passes (Opposed: Hershey)

Motion: To put additional document review and discussion on hold until the new Chairperson can review and edit.

**Time for Public Comment specifically about the documents discussed Pharr (Public Guest)**

Changing the meeting times can be an inconvenience for the public. The public was not provided with all of the Documents that were reviewed. The Ad Hoc Committee meetings were not advertised to the public.

Specifically about the Documents, Mr. Pharr made some suggestions: Document #1: The city council approves the changes by adopting the changes a notice of final rulemaking.

Document #2: There needs to be an appeal form for proposals denied review by the Chairperson. Questions whether or not Section 3. contradicts the bylaws per Article 4, Section 2a. Recommends that the each criteria under Section 2. reads “...may be needed...” rather than “...is needed...”

**Mayl (Public Guest)**

Suggests that Tie Votes in TAG Committees means that the proposed amendment does not move forward.

Document #8 should include a section for the applicant to identify which criteria they are referencing in their proposed change and it should also include space for the technical justification of any proposed change.

Discussion:

Board discusses the input from the members of the public. Make the change related to city council approval in Document #1. Mr. Hershey reviewed again that status of each document.

Motion: To approve Documents #1, #2, and #8 with changes as discussed and referral and elimination of other documents. (Hershey, Stern)

Discussion: No additional changes.

Vice Chair calls for the vote.

Motion passes (Opposed: Fetterman)

**New Business**

Motion: To adjourn. (Masoero, Hershey)

Discussion:

Keys stated for the record that he was stepping down from the Electrical Committee. Vice Chair postpones that action until further discussion of all the TAGs.

Hollinger wanted to go on the record about the length of the meetings and not being able to get a large number of the agenda items completed.

Masoero withdraws the motion to adjourn so additional agenda items can be addressed.

Motion: to have a special meeting before the next regular meeting to address outstanding issues. (Berley, Taylor)

Discussion:

FTE Chairperson starts on 10/26 and can schedule the special meeting at that time. The chair will get the TAG chairpersons assigned and the schedule for the committees. All agendas will be sent out with a packet of any documents or supplemental information.

The Chairperson can call Ad Hoc meetings and Executive Sessions prior to the next public meeting.

Motion: To adjourn. (Hershey, Masoero) Motion Passes.

**Next Meeting**

The next meeting of the Board will be held on Wednesday, November 18, 2009 at 10:00 am.

**Adjournment**

Chair adjourns the meeting at 12:30 pm.